

U.S.S.N. 10/728,599

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the instant application.

Listing of Claims:

Claims 1-57 (cancelled)

58. (new) A colorant composition which includes at least one pigment, water, and a copolymer surfactant comprising the following monomers

(a) from about 10% to about 80% by weight of at least one C₃-C₁₂ α,β -ethylenically unsaturated carboxylic acid or anhydride,

(b) from about 10% to about 80% by weight of at least one C₂-C₁₂ α,β -ethylenically unsaturated vinyl monomer, and

(c) from about 0.01% to about 20% by weight of at least one surfactant monomer,

and which, when incorporated in a paint formed of a mixture comprising said composition and a tint base, causes the Stormer low-shear viscosity of said paint to be within about $\pm 10\%$ of the Stormer low-shear viscosity of said tint base.

59. (new) The colorant composition of claim 58, which further comprises at least one oxygenated solvent.

60. (new) A method of making the colorant composition of claim 58 comprising admixing said copolymer surfactant, water and said at least one pigment, wherein said at least one pigment is one or more organic pigments, one or more inorganic pigments, or a mixture of one or more organic pigments and one or more inorganic pigments.

U.S.S.N. 10/728,599

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61. (new) The method of claim 60, wherein the colorant composition further comprises at least one conventional surfactant.

62. (new) The method of claim 61, wherein the conventional surfactant is an anionic surfactant, a nonionic surfactant, an amphoteric surfactant, or a mixture thereof.

63. (new) The method of claim 60, wherein the colorant composition further comprises a water-soluble polymer selected from a polycarboxylic acid, a copolymer comprising a monomer containing a carboxylic acid, an alkali soluble emulsion polymer, a cellulose derivative, a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, polyvinylpyrrolidone, a copolymer comprising vinylpyrrolidone monomer, or a mixture thereof.

64. (new) The method of claim 63, wherein the water-soluble polymer is a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, or a mixture thereof.

65. (new) The method of claim 60, wherein the inorganic pigment is titanium dioxide white, carbon black, lampblack, black iron oxide, yellow iron oxide, brown iron oxide, red iron oxide, or a mixture thereof.

66. (new) The method of claim 60, wherein the organic pigment is phthalocyanine blue, phthalocyanine green, monoarylide yellow, diarylide yellow, benzimidazolone yellow, heterocyclic yellow, DAN orange, quinacridone magenta, quinacridone violet, organic red, or a mixture thereof.

67. (new) The method of claim 66, wherein the organic red is metallized azo red, a nonmetallized azo red, or a mixture thereof.

U.S.S.N. 10/728,599

BEST AVAILABLE COPY

68. (new) The colorant composition as defined in claim 58, wherein the copolymer surfactant is formed of the following monomers

- (a) from about 10% to about 80% by weight of methacrylic or acrylic acid,
- (b) from about 10% to about 80% by weight of a first vinyl ester which is alkyl methacrylate, the alkyl of which is of from 2 to 12 carbon atoms, and a second vinyl ester of from 2 to 12 carbon atoms, and
- (c) from about 0.01% to about 20% by weight of a surfactant containing an alkylphenyl or tristyrylphenyl moiety.

69. (new) A method of making the colorant composition of claim 68 comprising admixing said copolymer surfactant, water and said at least one pigment, wherein said at least one pigment is one or more organic pigments, one or more inorganic pigments; or a mixture of one or more organic pigments and one or more inorganic pigments.

70. (new) A method of claim 69, wherein the colorant composition further comprises at least one conventional surfactant.

71. (new) The method of claim 70, wherein the conventional surfactant is an anionic surfactant, a nonionic surfactant, an amphoteric surfactant, or a mixture thereof.

72. (new) The method of claim 69, wherein the colorant composition further comprises a water-soluble polymer selected from a polycarboxylic acid, a copolymer comprising a monomer containing a carboxylic acid, an alkali soluble emulsion polymer, a cellulose derivative, a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, polyvinylpyrrolidone, a copolymer comprising vinylpyrrolidone monomer, or a mixture thereof.

U.S.S.N. 10/728,599

73. (new) The method of claim 72, wherein the water-soluble polymer is a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, or a mixture thereof.

74. (new) The method of claim 69, wherein the inorganic pigment is titanium dioxide white, carbon black, lampblack, black iron oxide, yellow iron oxide, brown iron oxide, red iron oxide, or a mixture thereof.

75. (new) The method of claim 69, wherein the organic pigment is phthalocyanine blue, phthalocyanine green, monoarylide yellow, diarylide yellow, benzimidazolone yellow, heterocyclic yellow, DAN orange, quinacridone magenta, quinacridone violet, organic red, or a mixture thereof.

76. (new) The method of claim 75, wherein the organic red is metallized azo red, a nonmetallized azo red, or a mixture thereof.

77. (new) The colorant composition of claim 58, wherein the copolymer surfactant comprises the following monomers

- (a) from about 10% to about 80% by weight of methacrylic or acrylic acid,
- (b) from about 10% to about 80% by weight of ethyl methacrylate, and vinyl acetate, and
- (c) from about 0.01% to about 20% by weight tristyrylphenylpoly(ethyleneoxy) methacrylate.

78. (new) A paint which comprises a mixture of a tint base, and a colorant composition containing at least one pigment, water, and a copolymer surfactant, which copolymer surfactant comprises the following monomers

U.S.S.N. 10/728,599

(a) from about 10% to about 80% by weight of at least one C₃-C₁₂ α,β -ethylenically unsaturated carboxylic acid or anhydride,

(b) from about 10% to about 80% by weight of at least one C₂-C₁₂ α,β -ethylenically unsaturated vinyl monomer, and

(c) from about 0.01% to about 20% by weight of at least one surfactant monomer,

the paint having a Stormer low-shear viscosity within about $\pm 10\%$ of the Stormer low-shear viscosity of the tint base from which the paint was formed.

79. (new) The paint of claim 78, wherein the paint does not substantially change color after rub-up.

80. (new) The paint of claim 78, wherein the paint is a solvent-based paint.

81. (new) The paint of claim 78, wherein the paint is a latex paint.

82. (new) The paint of claim 81, wherein the paint further comprises at least one associative thickener.

83. (new) The paint of claim 82, wherein the associative thickener is a nonionic hydrophobically modified ethylene oxide urethane block copolymer, a hydrophobically-modified polyether, a hydrophobically-modified alkali soluble emulsion, a hydrophobically-modified poly(meth)acrylic acid, a hydrophobically-modified hydroxyethyl cellulose, a hydrophobically-modified poly(acrylamide), or a mixture thereof.

84. (new) The paint of claim 78, wherein the Stormer low-shear viscosity of the paint is within about $\pm 5\%$ of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

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U.S.S.N. 10/728,599

85. (new) The paint of claim 84, wherein the Stormer low-shear viscosity of the paint is within about $\pm 3\%$ of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

86. (new) The paint of claim 78, wherein the ICI high-shear viscosity of the paint is within about $\pm 10\%$ of the ICI high-shear viscosity of the tint-base from which the paint was formed.

87. (new) The paint of claim 78, wherein the flow/level rating of the paint, measured at 25°C according to ASTM Standard D4062-99, is about 10.

88. (new) A method of making the paint of claim 78, which comprises admixing said tint base and said colorant composition.

89. (new) The paint as defined in claim 78, wherein the copolymer surfactant comprises the following monomers

- (a) from about 10% to about 80% by weight of methacrylic or acrylic acid,
- (b) from about 10% to about 80% by weight of a first vinyl ester which is alkyl methacrylate, the alkyl of which is of from 2 to 12 carbon atoms, and a second vinyl ester of from 2 to 12 carbon atoms, and
- (c) from about 0.01% to about 20% by weight of a surfactant containing an alkylphenyl or tristyrylphenyl moiety.

90. (new) The paint of claim 89, wherein the paint does not substantially change color after rub-up.

91. (new) The paint of claim 89, wherein the paint is a solvent-based paint.

92. (new) The paint of claim 89, wherein the paint is a latex paint.

93. (new) The paint of claim 92, wherein the paint further comprises at least one associative thickener.

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U.S.S.N. 10/728,599

94. (new) The paint of claim 93, wherein the associative thickener is a nonionic hydrophobically modified ethylene oxide urethane block copolymer, a hydrophobically-modified polyether, a hydrophobically-modified alkali soluble emulsion, a hydrophobically-modified poly(meth)acrylic acid, a hydrophobically-modified hydroxyethyl cellulose, a hydrophobically-modified poly(acrylamide), or a mixture thereof.

95. (new) The paint of claim 92, wherein the Stormer low-shear viscosity of the paint is within about $\pm 5\%$ of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

96. (new) The paint of claim 95, wherein the Stormer low-shear viscosity of the paint is within about $\pm 3\%$ of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

97. (new) The paint of claim 89, wherein the ICI high-shear viscosity of the paint is within about $\pm 10\%$ of the ICI high-shear viscosity of the tint-base from which the paint was formed.

98. (new) The paint of claim 89, wherein the flow/level rating of the paint, measured at 25°C according to ASTM Standard D4062-99, is about 10.

99. (new) The method of making the paint of claim 89, which comprises admixing said tint base and said colorant composition.

100. (new) A copolymer surfactant formed of the following monomers

- (a) from about 10% to about 80% by weight of methacrylic or acrylic acid,
- (b) from about 10% to about 80% by weight of a first vinyl ester which is alkyl methacrylate, the alkyl of which is of from 2 to 12 carbon atoms, and a second vinyl ester of from 2 to 12 carbon atoms, and

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U.S.S.N. 10/728,599

(c) from about 0.01% to about 20% by weight of tristyrylphenylpoly(ethyleneoxy) methacrylate, and which is capable, when incorporated in a colorant composition in effective amount, of causing the Stormer low-shear viscosity of a paint comprising a tint base and said composition to be within about $\pm 10\%$ of the Stormer low-shear viscosity of the tint base.

101. (new) A copolymer surfactant formed of the following monomers

- (a) from about 10% to about 80% by weight of methacrylic or acrylic acid,
- (b) from about 10% to about 80% by weight of ethyl methacrylate, and vinyl acetate, and
- (c) from about 0.01% to about 20% by weight tristyrylphenylpoly(ethyleneoxy) methacrylate, and which is capable when incorporated in a colorant composition in effective amount, of causing the Stormer low-shear viscosity of a paint comprising a tint base and said composition to be within about $\pm 10\%$ of the Stormer low-shear viscosity of the tint base.

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